



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,512	12/05/2001	Gary Wayne Dunlavy	ADAPP202	6439

25920 7590 03/31/2003

MARTINE & PENILLA, LLP
710 LAKEWAY DRIVE
SUITE 170
SUNNYVALE, CA 94085

EXAMINER

TA, THO DAC

ART UNIT	PAPER NUMBER
----------	--------------

2833

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant(s)

10/010,512

Applicant(s)

DUNLAVY, GARY WAYNE

Examiner

Tho D. Ta

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 15-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-14 in Paper No. 5 is acknowledged.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 6, 7, 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Batten, Jr. et al. (6,097,613).

In regard to claim 1, Batten, Jr. et al. discloses a cable terminator, comprising: a printed circuit board 12 having termination circuitry; a ribbon cable 32 having a first end and a second end, the first end being electrically connected to the printed circuit board 12 to enable termination at the first end; and an encapsulating mold 16 enclosing the printed circuit board 12 and the first end of the ribbon cable 32.

In regard to claims 2, 3, 7, it has been held that a recitation (e.g., SCSI cable, LVD cable, SCSI controller) with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Art Unit: 2833

In regard to claim 4, Batten, Jr. et al. discloses that the printed circuit board 30 is electrically passive.

In regard to claim 6, Batten, Jr. et al. discloses that the second end of the ribbon cable 32 connects to a device 42.

In regard to claim 9, Batten, Jr. et al. discloses that the encapsulating mold 16 is configured to cover the electrical connection between the first end of the ribbon cable 32 and the printed circuit board 12.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 5, 10-12, 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Sanada et al. (6,442,027).

In regard to claim 1, Sanada et al. discloses a cable terminator, comprising:
a printed circuit board 20 having termination circuitry; a ribbon cable 4 having a first end and a second end, the first end being electrically connected to the printed circuit board

Art Unit: 2833

20 to enable termination at the first end; and an encapsulating mold 7 enclosing the printed circuit board 20 and the first end of the ribbon cable 4.

In regard to claim 5, Sanada et al. discloses that the printed circuit board 20 has a board width that approximates a ribbon width of the ribbon cable 4.

In regard to claim 10, Sanada et al. discloses a cable having an integrated terminator, comprising: a ribbon cable 4 having a first end, a second end, and at least one device connector 32a between the first end and the second end of the cable 4; a printed circuit board 30 having termination circuitry, the termination circuitry being electrically coupled to the first end of the cable 4; and an overmold 7 sealing the printed circuit board 30 and the first end of the cable 4, the overmold 7 retaining a single output path for the cable 4 that extends to the second end. (The meaning of “overmold” is not clearly set forth in the claim and is thus deemed to be so broad that it is met by the applied reference as a housing or a cover).

The recitation that the cable is SCSI cable has not been given patentable weight because it has been held that a preamble is denied the effect of a limitation where the claim is drawn to a structure and the portion of the claim following the preamble is a self-contained description of the structure not depending for completeness upon the introductory clause. *Kropa v. Robie*, 88 USPQ 478 (CCPA 1951).

In regard to claim 11, Sanada et al. discloses that the printed circuit board 30 is electrically passive.

In regard to claim 12, Sanada et al. discloses that the second end of the ribbon cable 4 connects to a device 20.

In regard to claim 14, Sanada et al. discloses that the overmold 7 is configured a slim and aerodynamic profile to seal the first end of the cable 4 and the PCB 30.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Batten, Jr. et al. in view of Sanada et al. (6,442,027).

In regard to claim 10, Batten, Jr. et al. discloses a cable having an integrated terminator, comprising: a ribbon cable 32 having a first end, a second end; a printed circuit board 12 having termination circuitry, the termination circuitry being electrically coupled to the first end of the cable 32; and an overmold 16 sealing the printed circuit board 32 and the first end of the cable 32, the overmold 16 retaining a single output path for the cable 32 that extends to the second end.

Art Unit: 2833

However, Batten, Jr. et al. does not disclose that at least one device connector between the first end and the second end of the cable 32.

Sanada et al. discloses at least one device connector 32a (fig. 5A) between the first end and the second end of the cable 4 for providing additional connection.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Batten, Jr. et al. invention by adding an additional connector between the first end and the second end of cable 32 in order to make the cable 32 versatile.

The recitation that the cable is SCSI cable has not been given patentable weight because it has been held that a preamble is denied the effect of a limitation where the claim is drawn to a structure and the portion of the claim following the preamble is a self-contained description of the structure not depending for completeness upon the introductory clause. *Kropa v. Robie*, 88 USPQ 478 (CCPA 1951).

In regard to claim 13 Batten, Jr. et al. does not disclose that the encapsulating dielectric mold is rubberized plastic.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Batten, Jr. et al. invention by constructing the connector housing of a rubberized plastic material since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious engineering choice. *In re Leshin*, 125 USPQ 416 (CCPA 1960).

Art Unit: 2833

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Batten, Jr. et al.

In regard to claim 8 Batten, Jr. et al. does not disclose that the encapsulating dielectric mold is rubberized plastic.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Batten, Jr. et al. invention by constructing the connector housing of a rubberized plastic material since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious engineering choice. In re Leshin, 125 USPQ 416 (CCPA 1960).

Drawings

9. Figures 1A, 1B, 1C should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho D. Ta whose telephone number is (703) 308-0800. The examiner can normally be reached on M-F (8:00-5:30).

Art Unit: 2833

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.



THO D. TA
PRIMARY EXAMINER

tdt
March 26, 2003